

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

Sundar Natarajan, M.D.)

File No. 800-2015-018442

**Physician's and Surgeon's)
Certificate No. A 84407)**

**Respondent)
_____)**


DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 23, 2018.

IT IS SO ORDERED January 26, 2018.

MEDICAL BOARD OF CALIFORNIA

By: 
**Kristina Lawson, Chair
Panel B**

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 DEMOND L. PHILSON
Deputy Attorney General
4 State Bar No. 220220
1300 I Street, Suite 125
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2015-018442

12 **SUNDAR NATARAJAN, M.D.**
13 **PO Box 1974**
Stockton, CA 95201-1974

OAH No. 2017060828

14 **Physician's and Surgeon's Certificate No. A**
15 **84407**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

16 Respondent.

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
22 of California (Board). She brought this action solely in her official capacity and is represented in
23 this matter by Xavier Becerra, Attorney General of the State of California, by Demond L. Philson,
24 Deputy Attorney General.

25 2. Respondent Sundar Natarajan, M.D. (Respondent) is represented in this proceeding
26 by attorney Stephen D. Schear, Esq., whose address is: 2831 Telegraph Avenue, Oakland, CA
27 94609.

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3. On or about August 22, 2003, the Board issued Physician's and Surgeon's Certificate No. A 84407 to Sundar Natarajan, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2015-018442, and will expire on February 28, 2019, unless renewed.

JURISDICTION

4. Accusation No. 800-2015-018442 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on April 18, 2017. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2015-018442 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2015-018442. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent understands that the charges and allegations in Accusation No. 800-2015-018442, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate No. A 84407.

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

11. Respondent agrees that his Physician's and Surgeon's Certificate No. A 84407 is subject to discipline and she agrees to be bound by the Board's terms as set forth in the Disciplinary Order below. Respondent further understands and acknowledges that failure to complete the Board's terms as set forth below may lead to additional charges alleging unprofessional conduct and the imposition of additional discipline.

CONTINGENCY

12. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 84407 issued to Respondent Sundar Natarajan, M.D., shall be and is hereby publicly reprimanded pursuant to California Business and Professions Code, section 2227, subdivision (a) (4.) This public reprimand is issued in connection with Accusation No. 800-2015-018442.

1. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 20 hours. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 20 hours of CME in satisfaction of this condition.

2. **MEDICAL RECORD KEEPING COURSE.** Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping approved in advance by the Board or its designee. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

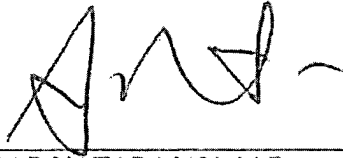
A medical record keeping course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

1 Respondent shall submit a certification of successful completion to the Board or its
2 designee not later than 15 calendar days after successfully completing the course, or not later than
3 15 calendar days after the effective date of the Decision, whichever is later.

4 ACCEPTANCE


5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
6 discussed it with my attorney, Stephen D. Schear, Esq. I understand this stipulation and the effect
7 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
8 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
9 Decision and Order of the Medical Board of California.

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12 DATED: 11/10/17


13 SUNDAR NATARAJAN, M.D.
Respondent

14 I have read and fully discussed with Respondent Sundar Natarajan, M.D. the terms and
15 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
16 I approve its form and content.

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19 DATED: 11/12/17


20 STEPHEN D. SCHEAR, ESQ.
Attorney for Respondent
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 10/13/17

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General



DEMOND L. PHILSON
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2015-018442

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
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Deputy Attorney General
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7

8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO April 18 20 17
BY Robyn Fitzwater ANALYST

10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 800-2015-018442

14 **Sundar Natarajan, M.D.**
15 **P.O. Box 1974**
Stockton, CA 95201-1974

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A84407,**

18 **Respondent.**

19 **Complainant alleges:**

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
22 capacity as the Executive Director of the Medical Board of California, Department of Consumer
23 Affairs (Board).

24 2. On or about August 22, 2003, the Medical Board issued Physician's and Surgeon's
25 Certificate No. A84407 to Sundar Natarajan, M.D. (Respondent). The Physician's and Surgeon's
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will
27 expire on February 28, 2019, unless renewed.

28 ///

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

“(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

“(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.”

5. Section 2234 of the Code, states, in pertinent part:

“The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

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1 states, "please see complete list of home going medications to be typed and faxed to PCP and
2 specialist offices..." The "Hospitalist Discharge Order Set," prepared by respondent does not
3 contain a complete list of medications for this patient upon discharge.

4 11. On or about August 8, 2013, respondent signed the discharge summary for patient
5 M.S.G.

6 **Patient M.S.**

7 12. On or about August 3, 2013, patient M.S. was admitted to SJMC pursuant to a
8 telephone order by respondent, primarily for atrial fibrillation, fever, shortness of breath, and to
9 rule out sepsis. During the hospital stay, patient M.S. received medical care and treatment from
10 respondent as the assigned hospitalist attending physician.

11 13. On or about August 5, 2013, patient M.S. received a two-dimensional transthoracic
12 echocardiogram, which revealed severe aortic stenosis.

13 14. On or about August 7, 2013, patient M.S. was discharged from SJMC.

14 15. On or about August 16, 2013, respondent dictated a discharge summary for patient
15 M.S. In that note, respondent made no mention of the two-dimensional transthoracic
16 echocardiogram results, or a follow-up plan regarding the diagnosis.

17 16. On or about August 19, 2013, respondent signed the discharge summary for patient
18 M.S.

19 **Patient R.B.**

20 17. On or about October 18, 2013, patient R.B. was admitted to SJMC primarily for
21 syncope and hypotension. During the hospital stay, patient R.B. received medical care and
22 treatment from respondent as the assigned hospitalist attending physician.

23 18. On or about October 30, 2013, respondent met with patient R.B. and conducted a
24 physical examination. The progress note for this visit did not contain any reference to physical
25 examination findings.

26 19. On or about October 31, 2013, respondent met with patient R.B. and conducted a
27 physical examination. The progress note for this visit indicates, "no change in physical exam."

28 20. On or about November 4, 2013, patient R.B. was discharged from SJMC.

1 21. On or about November 27, 2013, respondent dictated a discharge summary for patient
2 R.B.

3 22. On or about December 12, 2013, respondent signed the discharge summary for
4 patient R.B.

5 **Patient L.B.**

6 23. On or about November 25, 2013, patient L.B. was admitted to SJMC pursuant to a
7 telephone order from respondent, primarily for severe heart failure and lower extremity cellulitis.
8 During the hospital stay, patient L.B. received medical care and treatment from respondent as the
9 assigned hospitalist attending physician.

10 24. On or about November 26, 2013, patient L.B. received a two-dimensional
11 transthoracic echocardiogram, which had been ordered by respondent. The results of the
12 echocardiogram were dictated, transcribed, and signed by the reading physician that same day.

13 25. On or about November 27, 2013, respondent met with patient L.B. and conducted a
14 physical examination. The progress note for this visit did not contain any reference to physical
15 examination findings.

16 26. On or about November 28, 2013, respondent met with patient L.B. and conducted a
17 physical examination. The progress note for this visit indicated, "exam unchanged from
18 yesterday," and, "check 2D echo."

19 27. On or about December 3, 2013, patient L.B. was discharged from SJMC.

20 28. On or about December 26, 2013, respondent dictated a discharge summary for patient
21 L.B. The discharge summary indicates that the echocardiogram revealed severe cardiomyopathy,
22 but does not indicate the cause of the cardiomyopathy. The summary also indicates a diagnosis of
23 pleural effusion, but does not indicate the cause or kind of effusion.

24 29. On or about January 12, 2014, respondent signed the discharge summary for patient
25 L.B.

26 **Patient N.C.**

27 30. On or about November 26, 2013, patient N.C. was admitted to SJMC primarily for
28 left arm swelling and rhabdomyolysis following an overdose of medication in an apparent suicide

1 attempt. During the hospital stay, patient N.C. received medical care and treatment from
2 respondent as the assigned hospitalist attending physician.

3 31. On or about November 28, 2013, respondent met with patient N.C. and conducted a
4 physical examination. The progress note for this visit did not contain any reference to physical
5 examination findings.

6 32. On or about November 29, 2013, respondent met with patient N.C. and conducted a
7 physical examination. The progress note for this visit did not contain any reference to physical
8 examination findings.

9 33. On or about December 3, 2013, respondent met with patient N.C. and conducted a
10 physical examination. The progress note for this visit did not contain any reference to physical
11 examination findings.

12 34. On or about December 6, 2013, patient N.C. was discharged from SJMC.

13 35. On or about December 26, 2013, respondent dictated a discharge summary for patient
14 N.C.

15 36. On or about January 12, 2014, respondent signed the discharge summary for patient
16 N.C.

17 **Patient C.S.**

18 37. On or about December 30, 2013, patient C.S. was admitted to SJMC primarily for an
19 apparent infection to the right knee following a fall. During the hospital stay, patient N.C.
20 received medical care and treatment from respondent as the assigned hospitalist attending
21 physician.

22 38. On or about January 2, 2014, respondent met with patient C.S. and conducted a
23 physical examination. The progress note for this visit did not contain any reference to physical
24 examination findings.

25 39. On or about January 3, 2014, patient C.S. was discharged from SJMC. On that same
26 date, respondent dictated a discharge summary for patient C.S. The discharge summary does not
27 indicate the patient's clinical condition on admission, results from consultations ordered, or the
28 patient's course of care and condition during the hospitalization.

1 40. Respondent committed repeated negligent acts in his care and treatment of patients
2 M.S.G., M.S., R.B., L.B., N.C. and C.S., which included but were not limited to, the following:

- 3 (a) Failing to complete a discharge summary for patient M.S.G. in a timely
4 manner;
5 (b) Failing to complete a list of discharge medications for patient M.S.G. in a
6 timely manner;
7 (c) Failing to complete a discharge summary for patient M.S. in a timely manner;
8 (d) Failing to maintain a complete and accurate list of patient M.S.'s medical
9 problems;
10 (e) Failing to complete a discharge summary for patient R.B. in a timely manner;
11 (f) Failing to document physical examination findings for patient R.B.;
12 (g) Failing to complete a discharge summary for patient L.B. in a timely manner;
13 (h) Failing to document physical examination findings for patient L.B.;
14 (i) Failing to complete a discharge summary for patient N.C. in a timely manner;
15 (j) Failing to document physical examination findings for patient N.C.;
16 (k) Failing to document physical examination findings for patient C.S.; and
17 (l) Failing to maintain complete and accurate medical records for patient C.S.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Failure to Maintain Adequate and Accurate Records)**

20 41. Respondent has further subjected his Physician's and Surgeon's Certificate No.
21 A84407 to disciplinary action under sections 2227 and 2234, as defined by section 2266 of the
22 Code, in that he failed to maintain adequate and accurate records regarding his care and treatment
23 of patients M.S.G., M.S., R.B., L.B., N.C. and C.S., as more particularly alleged in paragraphs 7
24 through 40, above, which are hereby incorporated by reference and realleged as if fully set forth
25 herein.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

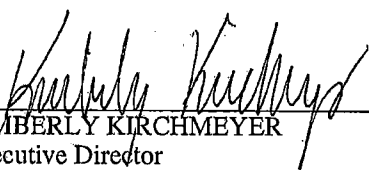
1. Revoking or suspending Physician's and Surgeon's Certificate No. A84407, issued to Sundar Natarajan, M.D.;

2. Revoking, suspending or denying approval of Sundar Natarajan, M.D.'s authority to supervise physician assistants and advanced practice nurses, pursuant to section 3527 of the Code;

3. Ordering Sundar Natarajan, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: April 18, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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